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15
16 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
17 **SAN FRANCISCO DIVISION**

18 LONE STAR SILICON INNOVATIONS LLC,

19 Plaintiff,

20 v.

21 TOSHIBA CORPORATION, TOSHIBA AMERICA
22 ELECTRONIC COMPONENTS, INC., AND TOSHIBA
23 AMERICA, INC.

24 Defendants.
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27
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Case No. 3:17-cv-04034-WHA

**NOTICE OF MOTION AND
JOINT MOTION TO DISMISS**

Date: August 16, 2018
Time: 8:00 AM
Place: Courtroom 12, 19th Floor
Judge: Hon. William Alsup

NOTICE OF MOTION AND JOINT MOTION TO DISMISS

TO THE COURT, AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on August 16 at 8:00 A.M., or as soon thereafter as counsel may be heard in Courtroom 12 of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, San Francisco, CA 94102, the Honorable William Alsup presiding, Plaintiff Lone Star Silicon Innovations, LLC (“Lone Star”) and Defendants Toshiba Corporation, Toshiba America Electronic Components, Inc., and Toshiba America, Inc. (“Defendants”) will, and hereby do, jointly move the Court to dismiss Plaintiff’s claims for relief against Defendants with prejudice and Defendants’ claims, defenses or counterclaims for relief against Plaintiff without prejudice, and with all attorneys’ fees, costs of court and expenses borne by the party incurring same.

STATEMENT OF RELIEF REQUESTED

WHEREAS, Plaintiff Lone Star Silicon Innovations LLC (“Plaintiff”) and Defendants Toshiba Corporation, Toshiba America Electronic Components, Inc., and Toshiba America, Inc. (“Defendants”) have resolved Plaintiff’s claims for relief against Defendants and Defendants’ counterclaims for relief against Plaintiff asserted in this case.

NOW, THEREFORE, Plaintiff and Defendants, through their attorneys of record, request this Court to dismiss Plaintiff’s claims for relief against Defendants with prejudice and Defendants’ claims, defenses or counterclaims for relief against Plaintiff without prejudice, and with all attorneys’ fees, costs of court and expenses borne by the party incurring same.

Respectfully submitted,

Dated: July 2, 2018

FITCH, EVEN, TABIN & FLANNERY LLP

/s/ Joseph F. Marinelli

Joseph F. Marinelli (admitted *pro hac vice*)

Attorney for Plaintiff

Lone Star Silicon Innovations LLC

Dated: July 2, 2018

/s/ Steven L. Park

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Attorneys for Defendants

Toshiba Corporation, Toshiba America, Inc., and

Toshiba America Electronic Components, Inc.

ATTESTATION

In accordance with Civil L.R. 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from every other signatory to this document.

Dated: July 2, 2018

By: /s/ Joseph F. Marinelli
Joseph F. Marinelli